

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

United States of America,)	C/A No.: 7:90-cr-310-9
)	
)	
)	ORDER
)	(Written Opinion)
v.)	
)	
Ronald Eugene Rice,)	
)	
Defendant.)	
)	

This matter is before the Court on Defendant's Motion to Amend/Correct Judgment filed on July 23, 2008. Rice requests that the Court amend its Order, issued July 14, 2008, to indicate that the date of his last sentence occurred on June 24, 1996, not June 1, 2000 as the Sentence Reduction Report and the Court Order reflects. After a review of the record, the Court GRANTS the motion to the extent it corrects the clerical error with respect to the date of Defendant's last sentence in both the Order issued on July 14, 2008 and the Sentence Reduction Report.

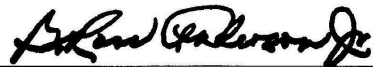
In addition, the defendant requests that the Court "inform the USPO to amend the PSI to comply with the Court's findings under Amendment #505 and the quantity table in effect at that time." (Motion to Amend 3.) However, the Court finds that such a request is unwarranted since the Sentence Reduction Report, filed with the Court on July 15, 2008, already indicates Defendant's amended sentence. Furthermore, amending the defendant's Presentence Report, as Defendant requests, would not

affect the Court's determination that the defendant is not entitled to a sentence reduction pursuant to Amendment 706 of the United States Sentencing Guidelines. As stated in the Court's Order denying Defendant's motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1), Defendant was held responsible for 126 kilograms of crack cocaine; therefore, he is ineligible for a sentence reduction under the recent amendment. The Court denies all other relief requested by the defendant in his motion.

IT IS THEREFORE ORDERED that the Motion to Amend Judgment is hereby GRANTED and that the Court's Order, issued on July 14, 2008, and the Sentence Reduction Report, filed on July 15, 2008, be amended to reflect that the defendant was last sentenced on June 24, 1996.

IT IS FURTHER ORDERED that all other requested relief in the defendant's motion be DENIED.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina

July 28, 2008

NOTICE OF RIGHT TO APPEAL

Petitioner has the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure

to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.